(4)

CF 1007

(2)

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. 1153 /2007

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

PETITIONER

Nemlal Gupta, aged about 56 years, son of Bhagwan Sao, Member, Adim Jati Seva Sahkari Samity Maryadit, Bhushu Block Seetapur, District Surguja (C.G.) resident of village and post Khada Dorna Tah. Seetapur, District Surguja (C.G.)

Issued Ajit K. Prasad 22/12/07

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through – the Secretary, Department of Co-operative Society, Raipur (C.G.).
2. Registrar, Cooperative Society, State of Chhattisgarh, Raipur.
3. Collector, Ambikapur, Distt. Surguja (Chhattisgarh)

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(39)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (C) No. 1153 of 2007

Petitioner — Nemlal Gupta

Versus

Respondents — State of Chhattisgarh & others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Shri Prashant Jayaswal, Senior Advocate with Shri Vinay Pandey, Advocate for the petitioner.

Shri A. S. Kachwaha, Govt. Advocate for the respondents.

ORDER

(Passed on this 26th day of February, 2007)

1. Learned senior counsel appearing for the petitioner submits that the petitioner is a member of the Adim Jati Seva Sahkari Samiti Maryadit, Bhushu, Block- Setapur, District – Surguja. A new society, under the direction of the State Government, in exercise of its powers under Section 16-C of the Chhattisgarh Cooperative Societies Act, 1960 (for short 'the Act, 1960') has been formed. It is further contended by learned counsel for the petitioner that the society is proposing to hold elections on the basis of the old membership as well as under the old area and old scheme.
2. Be that as it may, the Registrar, Cooperative Societies is a competent officer to look into the irregularities committed by a society, registered under the Act, 1960.
3. At this stage, learned counsel appearing for the petitioner, on instructions, seeks permission of this Court to withdraw this petition to move the Registrar, Cooperative Societies within a period of four days from today with a direction to the Registrar, Cooperative Societies to consider and pass appropriate orders within a period of one week thereafter.

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4. In view of the above, the petition is dismissed as withdrawn with the liberty aforestated. The Registrar, Cooperative Societies is directed to consider and pass appropriate orders within a period of one week, if the petitioner moves before it for redressal of his grievance within a period of four days from today.
5. In the meantime the proposed election may not be initiated for a period of 11 days from today.
6. With the above observations this petition stands disposed of. No costs. Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge